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THE LA FOLLETTE LAW FROM THE CONSUMERS' POINT OF VIEW ¹

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THIS subject has three sides, and I represent the neglected side, that of the not innocent by-stander, the traveler, the passenger. We of the thoughtless American traveling public cannot call ourselves innocent, because we have too long and too generally shirked our obvious duty in this discussion. The penalty for shirking falls irregularly and incalculably, like most penalties in human experience, on the guilty and on the innocent. The penalty is death by drowning.

The National Consumers' League two years ago unanimously endorsed the La Follette bill, speaking for this third, neglected party to the discussion, the traveling public. The Consumers' League declares that the public who buy a commodity or a service, determine in the end the conditions under which the commodity is produced and distributed, or the service rendered. Members of the Consumers' League assume with their eyes open their full moral responsibility for whatever happens to the crew, to those who serve at sea. We have not yet succeeded in interesting the traveling public in this subject, but we are patient, insistent, and continuous. We are about to celebrate the twenty-fifth anniversary of the founding of the parent Consumers' League here in New York city. And it is sixteen years since we began work as the National Consumers' League, arousing an organized, sustained, enlightened interest in the minds of the American people as to the conditions under which service is rendered or goods are produced.

That was a hundred years' task, we were warned, but we believe that we shall not have to wait a hundred years. We

¹ Read at the meeting of the Academy of Political Science, November 13, 1915.

believe that at the end of the next twenty-five years the teaching of experience, and our interpretation of it, will have created as alert and as organized a public opinion with regard to danger at sea as already exists with regard to the conditions of labor of those who serve on land.

Today, however, the American traveler is in the ignominious position of the shirk who deserves whatever comes to him, even though it be sudden death. He has not inquired, he has not cared, he has not enlightened himself, he has not enforced his will, he has had no social conscience. Shirks commonly excuse themselves with the plea of ignorance. But ignorance is no excuse in law or at sea. Our ignorance, moreover, has been voluntary.

American people in general, travelers and stay-at-homes alike, are not interested in safety either on land or at sea, least of all at sea, perhaps because we spend so little time on ship-board and, I sometimes think, because death at sea is quick. We like risks, and that is a sudden risk; there is no long torture, so we do not occupy ourselves much with the thought of the danger. Those of us who travel hold lightly our responsibility not only for whatever befalls us, but for whatever befalls our fellow-passengers and those who serve us.

Repeatedly in recent years we Americans have all read in the papers with a thrill, but with no effective compunction, that a thousand or fifteen hundred people have perished in twenty minutes, or forty minutes, or fourteen minutes at sea. But none of us have done much about it, except the seamen. The default of the passengers is the more disgraceful because the battle for safety has been fought for us, as far as it has been fought at all, by men at the uttermost disadvantage, men without voting residences, who cannot, in the usual way, bring their will to bear on the lawmakers. The position of the seamen has been so serf-like that any one of them, even though an American citizen, on going to sea enlisted as if going to war. Sailing on a ship to serve the traveling public, he became liable to arrest if, not liking what happened to him on that ship, he quit the service, breaking his contract. Whenever a seamen elected to break his contract and forfeit his

wages, Uncle Sam has acted as policeman for the shipping companies of other nations, seizing in our ports the seaman who broke his contract, and returning him to the ship.

None of us would be arrested for breaking a contract with a shipping company. We might have to pay a good deal of money, but none of us could be arrested merely for breaking our contract with a shipping company. But the seaman has been as unfree as that, and we have been in the disgraceful position of letting all the fight for safety that has ever been made before Congress be made by such men.

The safety provisions of the La Follette bill do not in time of disaster greatly benefit the employes, who can ordinarily take care of themselves much better than the women and children passengers. The most important safety provisions look toward an enlarged and improved class of seamen, a class who cannot be arrested by Uncle Sam or anybody else for the simple breaking of a contract, who cannot be treated as though, in time of peace, taking service on a passenger ship were equivalent to enlisting in an army in time of war.

In the amazing newspaper discussion of the La Follette law, in the hundreds of editorials which the clipping bureaus have sent to my desk, leaving a ship and breaking a contract on the part of a seaman is called "desertion," as though the shipping companies were the government, instead of reckless money-making institutions. It is a singular use of language, it represents a singular attitude of mind in free American citizens toward other Americans, who so far sacrifice their freedom as to ship in our service with the passenger lines.

I can best illustrate briefly the position of the Consumers' League by a personal experience which has made this subject one that, so long as memory lasts, will always be in the front of my mind. It will always impel me to bear witness in favor of more and better seamen than the conditions allotted them have hitherto enabled us to get, and to advocate all, and more than all, those provisions for safety which are now in the La Follette law. We hope that it may continue to be the law, amended from time to time in the direction of greater safety.

I was a passenger on the ship *Kroonland* which went to the

rescue of the burning ship *Volturno*. We sailed from Antwerp on October 4, 1913. The disaster of the *Titanic* and the sacrifice of life on that occasion being fresh in mind, the first thing I did was to go to the deck where the lifeboats were and look (as intelligently as a landlubber might, and it proved afterwards not to be in the least intelligently) at them. Then I looked about to see the men who might presumably be called upon to operate the boats in time of need. They seemed hard to find, very obscure, the seamen on the *Kroonland*. However, when we reached mid-ocean there was a boat drill, and I saw thirteen men, in shabby sweaters with the word "seaman" across the breast, go up to the boat deck and in a perfunctory manner lower an empty boat. Nothing particular happened, and they came down again. We were over seventeen hundred people on board, and the thirteen seamen were put through such a perfunctory drill that I thought I should not like to be lowered in a boat by those men. One of them spoke English, and I said to him: "Where are the rest of the seamen?"—"Oh," he said, "the other half will get their drill tomorrow,"—and he went on his way. Thirteen were drilled at that time.

There was no tomorrow for the next drill, because the disaster happened that night. At eight o'clock the next morning the *Kroonland* received an S.O.S. call, and we went back to the *Volturno*. I forgot to say that our engines were in such bad order when we left Antwerp that we had to lie up seven hours at Plymouth for repairs. We were so slow that, steaming back, a whole day of ten hours passed in going a hundred miles. The sea was rough, but there was no overhead storm.¹ We arrived in sight of the burning ship about six o'clock. The sea was rough and the *Volturno* was disabled, so that the *Kroonland's* boats were not sent out at once. After eleven that night, the waves being somewhat less, the call was made for volunteers to help the seamen. Then everybody knew, what I had learned the afternoon before, that there were more than seventeen hundred people on board, and we were in the act of

¹ We were naturally slow in getting into New York. We sailed on October fourth and landed on the sixteenth at night.

taking on (no one knew at that time how many) rescued people, and there were only twenty-six men employed as "able seamen." It turned out that they had skill, but we did not then know whether they had it.

Because the sea was rough, and the boats were big, and ultimately each one brought in from forty to sixty people (the larger number including many small children), sixteen oars to a boat were needed. Volunteers from the first cabin were not forthcoming, and each boat went out each time with stewards and stokers helping the seamen. The men became so exhausted that for two hours the work of rescue ceased, although some of the other ships which came up meantime, and had more seamen, were able to continue without interruption throughout the night.

It was a great surprise that, though there were known to be over seven hundred people on the burning ship, which had had explosions that destroyed its steering apparatus, threatened its existence, and caused several deaths, only two boats could be sent out from the Kroonland, because there were only twenty-six available seamen helped out by stewards and stokers. Yet the Kroonland had thirty-six boats.

When I came home, and began to inquire what the law was, I learned that a bill had been pending before Congress for nearly twenty years, providing that there must be two able seamen for every lifeboat, and a seat in a boat for every person on a ship that left any harbor in the United States, and that the deck crew must be able to understand the orders given by their officers.

Those requirements are now in the La Follette law. The editorials written by the maritime experts in the Rocky Mountains, Oklahoma, Kansas, and Vermont bear a singular likeness to the editorials in the seaports. They all have a family resemblance in their aversion especially to the provision that such seamen as are required (that is, two for every boat) must be able to understand their orders.

Gentlemen connected with shipping companies would, perhaps, willingly go out in a lifeboat, in a storm, with a coxswain whose crew could not understand what he said. But

women would not. They would rather embark with a crew who understand orders without an interpreter. We cannot always be sure in a shipwreck—when the ship is going down in fourteen minutes—that the interpreter will be just where we need him. It would seem to be an efficiency move to have deck crews understand orders. I never before saw the American press in hysterics over the statement that employes ought to understand their bosses. But the press, from the mountains and desert to both oceans, has for months been weeping bitter tears over the provision that the deck crew who are to save lives must understand their immediate superior officers who are to give them orders when you and I are scrambling into lifeboats.

The Consumers' League does not believe that the La Follette bill has killed shipping on the Pacific. We believe that the ships from the Pacific have come to the Atlantic where profits are great. We do not believe that the bill has killed American shipping on the Atlantic. We know that many people are staying at home, because they fear being killed by malice this year, who would in the normal course of events have gone to sea if they had had to face only the customary risk of death by negligence.

The La Follette law took effect in part only on November 1, 1915; most of it will not take effect until next January and March 1916. We believe that the war has more to do with the present situation than a prospective law of which only one-third of the provisions are yet even nominally enforced.

It is the deliberate intention of the Consumers' League to stand by the La Follette law. The League unanimously endorsed it, and sent the only passenger, as far as we are able to learn, who ever appeared as such, to address a congressional committee in its behalf. We shall oppose in every possible way any serious modifications in the La Follette law. We disapprove of the policy of Mr. Redfield in reducing it by interpretation. We shall continue to call the attention of those who travel to the risks involved in every amendment, and in every reduction of the law by interpretation, and to the utter cynicism of the campaign of the shipping companies and the

press against having crews who understand their officers when our lives are at stake.

It is an international and a national misfortune and shame that, by the shirking and default of the traveling public, this law which concerns us all quite as much as it does the seamen, has been allowed to become indeed the Seamen's Law. It is the law for safety at sea, and it contains certain provisions which are advantageous to the seaman. But what is advantageous to him because of the low level at which he has hitherto been forced to live, is also advantageous to the traveling public, because it holds a promise that more and better seamen may henceforth be employed.

Had the La Follette law been in force, *and enforced*, the Eastland could not have been so crowded, for boats and rafts would have occupied much deck space. The loss of life might have been reduced also by the presence of more and better seamen. For the sake of educating the public in regard to the law for safety at sea, the Consumers' League has undertaken to work for a congressional inquiry into the Eastland disaster.